

Out in the Cold

In the elaborate undercover operation the Central Intelligence Agency has been engaged in to manipulate the opinions of Estonians in the United States, somebody is bound to be left out in the cold. The CIA has acknowledged that, at its instance, an Estonian emigré named Juri Raus working subterraneously as one of its agents, spread accusations that another Estonian emigré, Eerik Heine, now a Canadian, was in reality a Soviet agent. Mr. Heine has sued Mr. Raus for slander. The CIA has forbidden Mr. Raus to answer questions in court and has asked to have Mr. Heine's suit dismissed on the ground that Mr. Raus acted in an official governmental capacity and is therefore immune from any defamation suit.

The latest development is that Mr. Heine has appealed to the White House. He has done this on the basis of an obscure paragraph of an Executive Order requiring the President to receive and "take action upon" complaints from private citizens about the operation of CIA secrecy regulations. The express purpose of this paragraph is to insure that information is not improperly withheld. We think Mr. Heine has plainly put the CIA in a most uncomfortable position. For it can hardly win this battle against him without losing the war for Estonian emigré opinion.

Symbolically as well as legally, Mr. Heine's appeal to the White House has great emotional force. Whether he is, as the CIA alleges, a Soviet agent or, as he represents himself, a doughty anti-Communist, he is entitled to his day in court. And if the CIA, for security reasons or any other reasons, is unwilling to defend what it has done, it has no business asking an American court of justice to cover up for it. Americans of Estonian ancestry, or any other ancestry, are unlikely to have much sympathy for such hit-and-run tactics. As a matter of elementary fairness and for the sake of this country's good repute, the White House ought to intervene to make the CIA defend itself or else give Mr. Heine indemnification.